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THURSDAY, FEBRUARY 3, 1910.

A PRACTICAL DEMONSTRATION.

In an epitome of Governor Mann's inaugural address published in this paper yesterday morning there appeared the following sentence:

"The speaker concurred in the recommendation of Governor Swanson for a prompt and efficient law enforcement and the disregarding of technicalities by the courts."

In the same issue appeared an account of the proceedings at a special term of the Circuit Court of Warwick county Tuesday, furnishing a striking demonstration of the necessity for immediate action upon the governor's recommendation. Upon a hair-splitting technicality, Judge Thornton, designated by the governor to sit in the case, threw out of court the annexation proceedings instituted by the city of Newport News, causing a delay of six weeks or two months and considerable additional expense.

After Judge Tyler, of the Circuit Court, entered an order asking Governor Swanson to designate a judge to sit in the annexation case, nearly two months passed before the commissioned judge finally came to begin the hearing. Then counsel for Warwick and Elizabeth City counties moved that the proceedings be quashed on the ground of insufficient notice. It was not claimed that the boards of supervisors of the county had not actually received sufficient notice to bring them into court to look after their interests; the very fact that distinguished counsel, saying that they were there to represent the board of supervisors and through them the counties, and the commonwealth's attorneys of both counties, were present in court was practical proof that the notice had been effective.

The claim was that a technical error had been made in serving the notice upon the chairman of the board of supervisors. The law requires that notice shall be served upon the board of supervisors. Counsel for one county contended that the law could be complied with only by serving notice upon the board itself when in session, while the other contended that the board of supervisors could not be notified except by service upon each member. City Attorney Massey's position was that the board of supervisors, being a quasi public corporation, was properly notified when notice had been served upon the chairman, its head or chief officer.

The judge sustaining the contention that notice should have been served upon each member of the board and, though everybody present understood that the notice actually had been just as effective as though it had been served upon every member individual, and upon the board in session a hundred times, though it was recognized that nobody's rights had been injured or jeopardized by the technical error, if it was a technical error, and though everybody knew and consent for the counties admitted that the only object in the motion was to cause a delay, the proceedings were thrown out of court and counsel for the city was told to begin over again where he started some two or three months ago.

City Attorney Massey and Mr. Decker, whose case for the Dou-

vard residents was, in effect, thrown out by the ruling Tuesday, are convinced that the Supreme Court never would sustain the court's action, but it would be worse than useless for them to appeal. Time will be saved by starting out anew at once.

This paper is satisfied that the ruling was erroneous, and though a newspaper is not competent to pass judgment upon a court's decision on a technical point, everybody with common sense knows that it ought to be impossible for such things to happen. The ex-governor and the governor had just such cases as this in mind when they recommended that the legislature take steps toward simplifying our court procedure with the view of obviating useless delays on account of technicalities.

THE OYSTER QUESTION.

The Norfolk Virginian-Pilot and this paper are not very far apart on the oyster question after all. Some days ago the Virginian-Pilot discussed at length the present agitation in favor of breaking the Baylor survey, characterizing it as a continuation of the activities of certain planting interests greedily desiring to gobble up the State's oyster rocks for their own purposes. The Daily Press declared against turning over to the planters any oyster grounds not actually and permanently barren, but said that the Baylor survey ought to be "broken" in order that the lines might be straightened.

The Virginian-Pilot replies by saying that the lines should be straightened, but that they can be straightened as well by adding toas by taking from the grounds reserved for the use of the public. The editorial concludes with this paragraph:

"The Virginian-Pilot is not opposed to straightening the lines of the Baylor survey. On the contrary, for three years or more we have been advocating a change in the boundaries of the bottoms subject to private lease. What we do insist upon and have consistently insisted upon is that the straightening, if and when effected, shall be done in the interest of the public and not in furtherance of the schemes of special interests to appropriate to their own personal aggrandizement the natural seed beds of the State. Straightening by restricting the area of the public grounds would and could have only the latter result."

Certainly barren ground should be included within the lines wherever it may be necessary in order to have a straight line. It is a fact that having leased beds immediately adjacent to natural rock has made it well nigh impossible to protect the latter during the closed season. But this paper still sees no reason why grounds actually and permanently barren should not be put outside of the survey and leased to planters where no harm could result.

OFFERS ONE LOAF TO EVERY FLOOD VICTIM

Receding Paris Waters Present Awful Conditions in the Streets.

(By Associated Press.)

PARIS, Feb. 2.—As the flood recedes the streets of Paris present a deplorable condition. Miles of them in the districts along the Seine are covered with broken wreckage and the slime left by the waters, and presents in many places dangerous pits and yawning gaps.

During the past 24 hours the river has fallen from two to three feet, but below Paris there are several feet of water and boats are to be seen everywhere carrying relief to the sufferers. Contributions are coming in from every point and the Americans here as well as the own country, have been generous, making the total \$100,000.

Rodman Wamsamaker, of Philadelphia, has offered, through the American ambassador, to supply one loaf of bread for every flood victim in Paris each day for a period of one month. Large money contributions have been received from many Americans.

Precautionary measures have been taken to prevent the scourge following in the wake of the flood and the authorities are sanguine that the danger that an epidemic of any disease, except typhoid, is a negligible quantity. Typhoid is always endemic in France, due undoubtedly to the polluted water supply. Nevertheless, with the warnings issued against the drinking of unboiled water, it is proposed to avoid this danger.

Hens Are in League.

WASHINGTON, D. C., Feb. 2.—Dr. Harvey Wiley intimated at a public food hearing today that the American hen is in league with the bootleggers of the coast of living, by laying eggs which are too small. But the chief of the bureau of chemistry declared it is not the hen's fault, as she was being bred for commercial purposes to lay smaller eggs and more of them.

PROPER CLOTHES for MEN

Peysner Says

Here's A Shirt Bargain For You

We bought 50 dozen stiff bosom White Shirts from a big manufacturer which has some slight imperfections, made to sell from \$1.00, \$1.50 and \$2.00. All sizes from 14 to 17. Go on sale Saturday at

69c Each.

See Window Display.

1-3 Off CLOTHING

2715

Washington Avenue,
Newport News, Va.

DON'T LIKE BUNION BILL

(Continued from First Page.)

ed varying salaries. The resolution follows:

"Whereas, the salary of the superintendent of the Eastern State hospital for the insane is \$2,000, that of the superintendent of the Western hospital for the insane is \$2,250, that of the superintendent of the Central hospital for the insane is \$2,500, and that of the superintendent of the Southwestern hospital for the insane is \$2,000; therefore, be it

"Resolved by the house of delegates of Virginia, that the committee on finance be requested to ascertain and report to the house why this discrepancy."

Holt's Contract Bill.
Senator Holt's bill providing for investigation of the State's contract with the Davis Shoe Company, and before its renewal, to secure a fair compensation for the services of the prisoners working for the company, is being given much consideration in the upper branch.

Senator Holt, in introducing his measure, stated that he understood the shoe company was only paying 42 cents per diem for the services of the convicts, and that he understood when prisoners were released for any cause that the shoe company gave them employment in other factories, paying wages as high as \$16 per week.

Senator Kezell chairman of the senate finance committee, has offered a bill in the senate to provide for a special and separate assessment of all mineral lands and mineral waters and to fix the taxes and levies on such assessments.

CREPE ON DOOR OF HALF THE BUILDINGS

Latest Count of Dead from Kentucky Mine Explosion Puts Number at Thirty-five.

(By Associated Press.)
DRAKESBORO, KY., Feb. 2.—With crepe hanging on every other door along the two straggling streets of the little mining town of Bowdler and nearby funeral corteges headed by all sorts of improvised hearse moving toward the cemetery, today was largely given over to the effacement of death's work in the Elk Valley coal mine.

There was no attempt at holding religious services over the mangled bodies. Searching parties were going up and down in the mine all day, but no further discoveries were made during the afternoon.

The last body was brought up at 12:30 o'clock. This brought the count to thirty-five and with one man, Freeman Peter Kelly, missing.

SEES JERSEY DEVIL.

Strange Combination Animal and Bird Appears in Virginia.

STAUNTON, VA., Feb. 2.—A report comes from Hightown that David Freeze has just seen what some declare is the famous Jersey devil, reported to have first been seen in New Jersey, whence it gets its name. Freeze says that the strange bird or beast was flying directly over him and had a head like a horse, feet and legs like a mole and scurred along on great red wings. It is said that the animal was seen in West Virginia some months ago, and it is supposed to have lived in mountains, feeding on bear and deer. It is most extraordinary combination of beast and bird ever seen in these parts.

Four houses on corner now renting for \$100 a year, for \$1,500. Reynolds Bros.

Hampton, Phoebus and Old Point

GETTING BUSY TO PUT HOUSE IN ORDER

Republicans Map and Revise the Legislative Programme.

WASHINGTON, D. C., Feb. 2.—The administration program as revised today by leaders of the senate and house and given the stamp of white house approval, comprises the following paragraphs:

Stateshood for Arizona and New Mexico in the form of a senate bill, which provides for ratification by congress of constitution of the new states after approval by the President.

Postal savings banks, with safeguards against funds being transferred from sections where originally deposited to the money centers.

Giving to the President authority to withdraw from entry public lands desired for conservation purposes or for classification, the withdrawals to remain in force until revoked by him or by acts of congress.

Federal incorporation open to the voluntary application of concerns engaged in interstate business and willing to subscribe to federal regulation.

Creating a court of commerce and amending the interstate commerce act as provided by the Townsend-Ellkins bill.

Creating an executive council for Alaska, the members to be appointed by the President.

All the measures designed are to be enacted into law if the influence of President Taft and congress leaders, who are in charge of the machinery of the senate and house, is powerful enough to carry the program through.

All of the Republican members of the senate on the finance committee had a meeting today in advance of the regular session. Some pretty plain talk was indulged by Chairman Aldrich, of the finance committee and his associates over the situation in which the Republican party has found itself by reason of opposition to certain of the platform pledges which had been endorsed unequivocally by Mr. Taft in his campaign speeches and on trips over the country since he assumed the presidency.

That the Republicans must put their house in order and give firm support to administration measures was agreed by all present. It was stated that the President had the situation in the house well in hand and that the Republicans, regulars and "insurgents" alike, have agreed to put their shoulders to the wheel and toil the Taft policies through that body.

Assurances were given that there would be no conflict between the "insurgents" and the rules committee.

DAUGHTER DIES WHILE MOTHER ENROUTE HOME

Miss Frances Armstrong Dies of Pneumonia—Mrs. Armstrong on Way from Baltimore.

Little Miss Frances Armstrong, the daughter of Mr. and Mrs. Matthew C. Armstrong, died last night at 11:30 o'clock at the home of her parents on Armstrong's Point. Mrs. Armstrong, mother of the little girl, who has been in a hospital in Baltimore, is now enroute for Hampton and is ignorant of the death of her daughter. A telegram summoning the mother home was dispatched yesterday and Mrs. Armstrong left Baltimore last night. Until her arrival no arrangements for the funeral will be made.

Mrs. Armstrong had been ill with pneumonia several days and her condition took a sudden turn for the worse Tuesday. Dr. Perquet, of the John Hopkins hospital, was summoned here Monday by the family physician. Miss Armstrong was the granddaughter of Col. Edward Taylor, owner and editor of the Boston Globe.

MAKE DISTRIBUTION OF ROCKEFELLER FUND

Large Sums Are Awarded to Various Colleges and Universities of the Country.

(By Associated Press.)
NEW YORK, Feb. 2.—Five colleges and two universities were the recipients of conditional gifts and appropriations made by the Rockefeller fund of the general education board, which held its seventh annual meeting today. The following are the favored institutions:

Williams College, Williamstown, Mass., gift of \$100,000 on condition that the college raise an endowment of \$1,000,000; Wesleyan University, Middletown, Conn., \$100,000 towards \$1,000,000; Cornell College, Mount Vernon, La., \$50,000 toward \$200,000; Georgetown College, Georgetown, Ky., \$25,000 toward \$100,000; the Women's College in Brown University, Providence, R. I., \$50,000 toward \$200,000; Salem College, (for women) Winston-Salem, N. C., \$75,000 toward \$200,000.

When You Sign a Bond

As surety for a friend, you injure your credit. Bankers, Credit Men and Commercial Agencies take this into consideration when determining your financial standing.

Moreover, you JEOPARDIZE YOUR ESTATE. Losses on bonds invariably occur from unexpected sources, and frequently long after the bonds are signed. The provision that a man has made for his family during his entire lifetime is often wiped out after his death by a loss on a bond signed by him!

REFER YOUR FRIENDS TO

M. H. MORGAN & CO.
AGENTS

INSURANCE, LOANS, HOUSES FOR RENT IN ALL SECTIONS.
No. 9 and 11 North King street, Hampton, Va.

To Build Monuments

Having added this important work to our large contracting business, we invite those desiring monuments and other tombstone work to give us a chance to supply estimates. We can save you money on stones of all kinds.

R. H. Richardson & Son, Props.

GENERAL CONTRACTOR AND BUILDERS. We furnish lumber from the Chesapeake Mills.

Newport News, Va., January 28, 1910.

Mr. H. L. Schmelz, President,
Bank of Hampton,
Hampton, Va.

Dear Sir:—

Referring to your answer to our inquiry as to how you made the Bank of Hampton the largest Bank on the Peninsula, you say "First, by advertising; Second, by close attention to business, together with courteous and fair treatment of the public, etc." Following your suggestion, we have made a large advertising contract with this paper and by courteous and fair treatment intend to make our FIRE INSURANCE, REAL ESTATE AND RENTAL BUSINESS the largest in our community.

You might send this letter to some of your customers whose VACANT property needs advertising

Yours very truly,

REYNOLDS BROS

AIMS BLOW AT ROLLER SKATING ON SIDEWALKS

Phoebus Council Passes Ordinance Putting Check on the Street Sport.

The Phoebus town council last night adopted an ordinance prohibiting roller skating on the granite sidewalk, unless the abutting property owner does not object to the children enjoying this very exhilarating sport.

Councilman Clarke, who owns a long strip of land in Mellen street, complained to the council that he has put down a walk at a cost of \$400 and that the roller skating is greatly injuring the granite paving. He asked that an ordinance be passed to stop roller skating.

After some discussion the council decided to let the abutting property owners say whether or not skating could be indulged in, which means that Mr. Clarke will break up the skating now complained of by him.

The meeting was one of the duller the council has held in many months. In fact it was nearly 9 o'clock when the required number of councilmen to constitute a quorum appeared.

Mayor Furness reported that he tried 18 cases and collected fines amounting to \$51.20 in January, while Town Sergeant William R. Williams said the police officers made 18 arrests.

Councilmen in their seats were Messrs. G. N. Suttler, R. O. Clarke, C. W. Seymour, R. S. Copeland, J. I. Fontaine and John Urquhart.

START SEARCH FOR LOST CREW OF TEN

NORFOLK, VA., Feb. 2.—While further wreckage from the lost three masted schooner Frances washed ashore on the Hatteras coast today, including the masts of the ill-fated vessel, nothing yet has been seen of the bodies of her crew. All of the men are believed to have perished when the Frances, which was bound from New York to Jacksonville, was dashed to pieces in a gale that sent her on the treacherous Hatteras shoals early yesterday morning.

The United States revenue cutter Guadalupe, under orders from Washington today put to sea to search for the Frances' crew in the hope that some of the men may possibly have escaped and are floating about on pieces of wreckage.

Coffee!

If you are not already a customer we insist on you trying a sample of our coffee—it's quality through and through. We are giving you a better article at the same price than any of our competitors, this we know.

Our own Mocha & Java 35c
Our own Blend 30c
Our own Blend 25c

Right here we will say our 25c coffee is a winner. A good rich drink and one we are proud of.

Our own Blend 20c
Rio Coffee 15c

This is a line of coffee to be proud of and we would merely ask of you a trial.

Richardson & Bush

Phones, 5 and 95, Hampton, Va.
Old Point and Boulevard Deliveries.

\$10,000.00

Removal Sale going on at

Newell & Co., Inc

75 cents buys one dollar's worth. Others are saving money, why not you. Cash is king.

Newell & Co. Inc.

No. 21-25 W. Queen Street, Phone 113, Hampton, Va.



OLD BRANDS
are to be found in abundance in our lines of liquors, wines, etc. Our bottled goods are a pleasure in anticipation and a joy in realization. They are the best that is bottled. Rich in flavor, delicate to the fastidious palate and refreshing at all times.

Duff Gordon Imported Sherry, per gal	\$1.25
California Port	1.00
Claret	1.00
Sweet Catawba	1.00
Blackberry	1.00
Rhine Wine, per bottle	.50c
Whiskies, full quarts bottled in bond	\$1.25
Mt. Vernon	1.25
Green River	1.00
Melwood	1.00
Overholt	1.00
Old Oscar Pepper	1.00
Singerheim	1.00
Old Taylor	1.00
Piedmont	1.00
Golden Heritage	1.00
Hunter	1.00
Duffy's Malt	.85c
Paul Jones	.75c
Straight Whiskies in bulk, per gal:	
Monticello	\$4.00
Harper	4.00
Paul Jones	2.75
Old Charter	2.50
Parkwood	2.00
Double Stamp Straight Gin	2.00
Bottled Beer, Ale and Porter per doz	50c

N. LEONARD,
18 Mellen St., Phoebus, Va.

CITY MARKET CO.

WHAT KICK

Have the people of Hampton on the present prices of beef when it's a fact every consumer or tradesman knows that beef was higher in 1907 than it is today and that prices of the commodity are no higher now than they were six months back. It's time that some native cattle were slaughtered in the fall and sold cheap. It was a cheap article or what we call Skates, the kind that dissatisfies the trade. We handle nothing but the fanciest the market produces. The kind that satisfies and the prices are the same, so calm yourselves.

CITY MARKET CO.,

9 E. QUEEN ST., HAMPTON, VIRGINIA.

WE HAVE FRESH VEGETABLES TODAY

Fancy Florida Tom. Lettuce.
Cal. Celery.
Salt Fish.
Shad, 10c lb. Mackerel, 5c and 8c each.
Mulletts, 10c lb. Herring, 15c and 30c doz.
Codfish.

Black Walnuts, 5c qt.

Fruits

Oranges, 15c, 20c and 30c doz.
'Angelines, 25c doz.
Fancy Malaga Grapes, 15c lb.
Grape Fruit, 5c each.

C. H. Wilson & Son.

129 ARMISTEAD AVENUE, HAMPTON, VIRGINIA.
Phone 296.

SAND

Cement, Gravel, Crushed Stone and Building Material.
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SAND AND GRAVEL CO.
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Deliver Sand, etc., Anywhere in Hampton or Newport News.
Agent Alpha Portland Cement, Northampton Portland Cement.